



April 15, 2014

Vincent P. Pozzuto

Direct Phone 212-908-1284
Direct Fax 866-591-9124
vpozzuto@cozen.com

Honorable Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: Schwartz v. Intimacy in New York
Case No.: 13-CV-5735

Dear Honorable Judge Gardephe:

This firm represents the Defendants in the above matter. The case involves claims that Defendants violated the Fair and Accurate Credit Transactions Act by issuing a credit card receipt with an expiration date printed on it. Plaintiff brought suit as a member of a putative class.

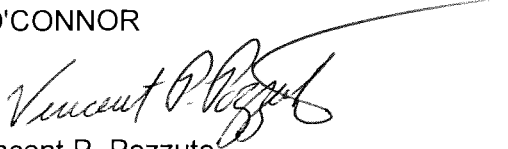
Presently pending before your Honor is a motion to bifurcate class discovery and merits discovery. The motion was filed on January 28, 2014, and at that time, the Defendants requested oral argument. We have not been advised whether such request was granted, nor has there been a decision issued on the motion.

Respectfully, it is requested that the Court schedule argument or issue a decision expeditiously, as the motion is based in part upon the tremendous amount of cost and time that will be involved in responding to Plaintiff's demands for all credit/debit card receipts issued by Defendants over a lengthy period of time. My clients need to be advised as to their obligations in regards to responding to this discovery, in addition to remedies that may be available to them in terms of cost sharing should the motion to bifurcate discovery be denied.

We thank the Court for its time and attention.

Sincerely,

COZEN O'CONNOR


By: Vincent P. Pozzuto
Admitted in New Jersey

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cc: Robert Lash
Bryant T. Lamer
Shimshon Wexler